

AMENDED PERMIT

THE STATE OF NEVADA

PERMIT TO CHANGE THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of Permittee: SPRING MOUNTAIN RACEWAY, LLC
Source: UNDERGROUND
Basin: PAHRUMP VALLEY
Manner of Use: COMMERCIAL
Period of Use: JANUARY 1ST TO DECEMBER 31ST
Priority Date: 01/06/1947

APPROVAL OF STATE ENGINEER

This permit to change the point of diversion and place of use of the waters of an underground source as heretofore granted under Permit 63451 is issued subject to the terms and conditions imposed in said Permit 63451 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

If any water under this permit is cancelled, withdrawn, or any water is not put to beneficial use, it will revert to the groundwater source and not back to the base water right.

The total combined duty of water under Permits 72953, 72954, 72955 and 72956 shall not exceed 13.0 acre-feet annually.

(Continued on Page 2)

Permit 72953 is granted to provide commercial water service to a parcel described as Nye County Assessor's Parcel (APN) 27-741-04.

The point of diversion and place of use are as described on the submitted application to support this permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, **and not to exceed 0.0084 cubic feet per second and not to exceed 5.0 acre-feet annually.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:

May 14, 2007

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

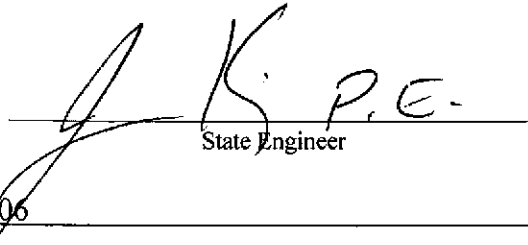
May 14, 2011

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 24th day of May, A.D. 2012


State Engineer

Completion of work filed May 12, 2006

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

See Amended Permit

NO. 72953

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office JUN 20 2005

Returned to applicant for correction _____

Corrected application filed _____

Map filed JUL 20 2005 under 72953

The applicant **Spring Mountain Raceway, LLC** hereby make application for permission to change the **Point of diversion Place of use** of water heretofore appropriated under **Permit # 63451**

1. The source of water is **Underground source**
2. The amount of water to be changed **.0084 CFS 5.0 AFA**
3. The water to be used for **Commercial use**
4. The water heretofore permitted for **Commercial use**
5. The water is to be diverted at the following point **within the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 33, T.20S., R.54E., M.D.B.&M., Nye County, Nevada at a point from which the NE corner of said Section 33 bears N30° 35' 34" E a distance of 3112.23 feet**
6. The existing permitted point of diversion is located within **the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 33, T.20S., R.54E., M.D.B.&M., Nye County, Nevada at a point from which the NE corner of said Section 33 bears N28°02'00"E a distance of 3184.00 feet, ref.map A.O.F. as Permit #63451 filed at the State Eng. Office on Sept. 19, 1997.**
7. Proposed place of use **Consisting of 193.68 Ac's within portions of the E $\frac{1}{2}$ of the NW $\frac{1}{4}$, N $\frac{1}{2}$ of the SE $\frac{1}{4}$ and the NE $\frac{1}{4}$ of Section 33, T.20S., R.54E., M.D.B.&M., Nye County, Nevada known as A.P.N.#27-741-04**
8. Existing place of use **in a portion of the NW $\frac{1}{4}$; in a portion of the NE $\frac{1}{4}$ and a portion of the SE $\frac{1}{4}$ of Section 33, T.20S., R.54E., M.D.B.&M., being land in said Section 33 North of U.S. Highway #160- Ref. Map A.O.F. as Permit #63451 filed at the State Eng. Office on Sept. 19, 1997**
9. Use will be from **January 1st to December 31st** of each year.
10. Use was permitted from **January 1st to December 31st** of each year.
11. Description of proposed works **existing well 6" casing, submergible pump, totalizing meter and distribution system**
12. Estimated cost of works **\$20,000**
13. Estimated time required to construct works **1 year, existing 6" well casing, submergible pump and totalizing meter**
14. Estimated time required to complete the application of water to beneficial use **5- years**

15. Remarks: this existing water system will provide service to an existing and proposed commercial complex's consisting of office bldg's, garage and temporary living facilities, meeting and training area's, track officials and registration area, food and convention facilities, landscaping and dust control- additional fan water rights will be obtain'd and future applications submitted as demand requires

By Ronnie M. Phillips, Agent
s/ Ronnie M. Phillips
1240 E. State Street, Suite #101
Pahrump, Nevada 89048

Compared mt/ gkl lt/ gkl

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of the waters of an underground source as heretofore granted under Permit 63451 is issued subject to the terms and conditions imposed in said Permit 63451 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

If any water under this permit is cancelled, withdrawn, or any water is not put to beneficial use, it will revert to the groundwater source and not back to the base water right.

The total combined duty of water under Permits 72953, 72954, 72955 and 72956 shall not exceed 10.75 acre-feet annually.

Permit 72953 is granted to provide commercial water service to a parcel described as Nye County Assessor's Parcel (APN) 27-741-04.

(CONTINUED ON PAGE 3)

See Amended Permit

72953

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0084 cubic feet per second, and not to exceed 5.0 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

April 14, 2007

Proof of completion of work shall be filed on or before:

May 14, 2007

Water must be placed to beneficial use on or before:

April 14, 2011

Proof of the application of water to beneficial use shall be filed on or before:

May 14, 2011

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 14th day of April, A.D. 2006


State Engineer

MAY 02 2006

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed N/A _____

Certificate No. _____ Issued _____